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**OFFICIAL**

**To:** Examiner D. Blanchard - GAU 1642  
 U.S. Patent and Trademark Office

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**From:** Grace Yu for James J. Mullen, III, Ph.D.

**Date:** May 4, 2004

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**Comments:**

**ATTORNEY DOCKET:** 511582006200  
**GROUP ART UNIT:** 1642  
**EXAMINER:** D. Blanchard  
**SERIAL NO.:** 10/005,480  
**FILING DATE:** November 27, 2001  
**INVENTOR(S):** Pia M. CHALLITA-EID et al.  
**TITLE:** NUCLEIC ACID AND CORRESPONDING PROTEIN ENTITLED  
 161P2F10B USEFUL IN TREATMENT AND DETECTION OF  
 CANCER

**Papers Attached:**

1. Transmittal Form (1 page)
2. Fee Transmittal + duplicate for fee processing (2 pages)
3. Preliminary Amendment (8 pages)

PTO/SB/21 (06-03)

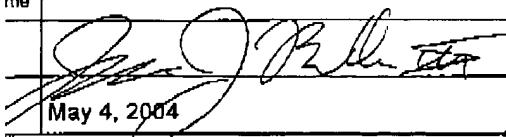
Approved for use through 07/31/2006, OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b> <small>(to be used for all correspondence after initial filing)</small>		Application Number 10/005,480
		Filing Date November 7, 2001
		First Named Inventor Pia M. CHALLITA-EID
		Art Unit 1642
		Examiner Name D. Blanchard
Total Number of Pages in This Submission 12		Attorney Docket Number 511582006200

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form + duplicate for fee processing (2 pages)	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply (8 pages)	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Facsimile Coversheet (1 page)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	MORRISON & FOERSTER LLP (Customer No. 25225) James J. Mullen, III, Ph.D. - 44,957
Signature	
Date	May 4, 2004

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Dated: May 4 Signature: Grace Yu (Grace Yu)

PTO/SB/17 (7-03)

Approved for use through 7/31/2008. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2004

Effect: 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 323.00)

Complete if Known	
Application Number	10/005,480
Filing Date	November 7, 2001
First Named Inventor	Pia M. CHALLITA-EID
Examiner Name	D. Blanchard
Art Unit	1642
Attorney Docket No.	511582006200

METHOD OF PAYMENT (check all that apply)

 Check  Credit Card  Money Order  Other  None

 Deposit account:

Deposit Account Number 03-1952

Deposit Account Name Morrison &amp; Foerster LLP

The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below  Credit any overpayments

 Charge any additional fee(s) or any underpayment of fee(s)

 Charge fee(s) indicated below, except for the filing fee to the above-mentioned deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee			
1002 340	2002 170	Design filing fee			
1003 530	2003 265	Plant filing fee			
1004 770	2004 385	Reissue filing fee			
1005 160	2005 80	Provisional filing fee			
SUBTOTAL (1) (\$)		0.00			

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Extra Claims	Fee from below	Fee Paid
32	8	20** = 12 x 9.00 =	108.00	
		3** = 5 x 43.00 =	215.00	
		145.00 =	0.00	

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1202 18	202 9	Claims in excess of 20			
1201 66	201 43	Independent claims in excess of 3			
1203 290	203 145	Multiple dependent claim, if not paid			
1204 96	204 43	** Reissue independent claims over original patent			
1205 18	205 9	** Reissue claims in excess of 20 and over original patent			
SUBTOTAL (2) (\$)		323.00			

\*\* or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)					
3. ADDITIONAL FEES					
Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or cash			
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet			
1053 130	1053 130	Non-English specification			
1812 2,520	1812 2,520	For filing a request for ex parte reexamination			
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action			
1905 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action			
1251 110	2251 65	Extension for reply within first month			
1252 420	2252 210	Extension for reply within second month			
1253 950	2253 475	Extension for reply within third month			
1254 1,480	2254 740	Extension for reply within fourth month			
1255 2,010	2255 1,005	Extension for reply within fifth month			
1401 330	2401 165	Notice of Appeal			
1402 330	2402 165	Filing a brief in support of an appeal			
1403 290	2403 145	Request for oral hearing			
1451 1,510	1451 1,510	Petition to institute a public use proceeding			
1452 110	2452 55	Petition to revive - unavoidable			
1453 1,330	2453 665	Petition to revive - unintentional			
1501 1,330	2501 665	Utility issue fee (or release)			
1502 400	2502 240	Design issue fee			
1503 640	2503 320	Plant issue fee			
1480 130	1460 130	Petitions to the Commissioner			
1807 50	1807 50	Processing fee under 37 CFR 1.17(g)			
1806 180	1806 180	Submission of Information Disclosure Stmt			
8021 40	8021 40	Recording each patent assignment per property (list number of properties)			
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))			
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))			
1801 770	2801 385	Request for Continued Examination (RCE)			
1802 300	1802 900	Request for expedited examination of a design application			
Other fee (specify)					
Reduced by Basic Filing Fee Paid					
SUBTOTAL (3) (\$)		0.00			

(Complete if applicable)					
Name (Print/Ty)	James J. Mulle, III, Ph.D.	Registration No. (Attorney/Agent)	44,957	Telephone	(858) 720-7940
Signature				Date	May 4, 2004

sd-197550

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# FEE TRANSMITTAL for FY 2004

Effect as of 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ 323.00)
**Complete if Known**

Application Number	10/005,480
Filing Date	November 7, 2001
First Named Inventor	Pia M. CHALLITA-EID
Examiner Name	D. Blanchard
Art Unit	1642
Attorney Docket No.	511582006200

**METHOD OF PAYMENT (check all that apply)**
 Check  Credit Card  Money Order  Other  None  
 Deposit Account

Deposit Account Number: 03-1952

Deposit Account Name: Morrison &amp; Foerster LLP

The Director is authorized to (check all that apply)

 Charge fee(s) indicated below  Credit any overpayments

 Charge any additional fee(s) or any underpayment of fee(s)

 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.
**FEES CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description
1051 130	2051 65	2051 65	Surcharge - late filing fee or oath
1052 50	2052 25	2052 25	Surcharge - late provisional filing fee or cover sheet
1053 130	1053 130	1053 130	Non-English specification
1812 2,520	1812 2,520	1812 2,520	For filing a request for ex parte reexamination
1804 820*	1804 820*	1804 820*	Requesting publication of SIR prior to Examiner action
1805 1,840*	1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action
1251 110	2251 55	2251 55	Extension for reply within first month
1252 420	2252 210	2252 210	Extension for reply within second month
1253 850	2253 475	2253 475	Extension for reply within third month
1254 1,480	2254 740	2254 740	Extension for reply within fourth month
1255 2,010	2255 1,005	2255 1,005	Extension for reply within fifth month
1401 330	2401 185	2401 185	Notice of Appeal
1402 330	2402 185	2402 185	Filing a brief in support of an appeal
1403 280	2403 145	2403 145	Request for oral hearing
1451 1,510	1451 1,510	1451 1,510	Petition to institute a public use proceeding
1452 110	2452 55	2452 55	Petition to revive - unavoidable
1453 1,330	2453 665	2453 665	Petition to revive - unintentional
1501 1,330	2501 665	2501 665	Utility issue fee (or reissue)
1502 480	2502 240	2502 240	Design issue fee
1503 640	2503 320	2503 320	Plant issue fee
1460 130	1460 130	1460 130	Petitions to the Commissioner
1807 50	1807 50	1807 50	Processing fee under 37 CFR 1.17(q)
1806 180	1806 180	1806 180	Submission of Information Disclosure Stmt
8021 40	8021 40	8021 40	Recording each patent assignment per property (times number of properties)
1809 770	2809 385	2809 385	Filing a submission after final rejection (37 CFR 1.129(e))
1810 770	2810 385	2810 385	For each additional invention to be examined (37 CFR 1.129(b))
1801 770	2801 385	2801 385	Request for Continued Examination (RCE)
1902 900	1902 900	1902 900	Request for expedited examination of a design application
Other fee (specify)			

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$ 0.00)**

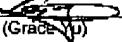
\*\*Or number previously paid, if greater. For Reissues, see above

SUBMITTED BY				(Complete if applicable)	
Name (Print/Ty)	James J. Mullen, III, Ph.D.	Registration No.	44,957	Telephone	(858) 720-7940
Signature				Date	May 4, 2004

**Duplicate Copy  
For Fee Processing**

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Dated: 5/4/04 Signature:   
(Grade 11)

OFFICIAL

Docket No.: 511582006200  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Pia M. CHALLITA-EID et al.

May 6, 2004

Application No.: 10/005,480

Art Unit: 1642

Filed: November 7, 2001

Examiner: D. Blanchard

For: NUCLEIC ACID AND CORRESPONDING  
PROTEIN ENTITLED 161P2F10B USEFUL IN  
TREATMENT AND DETECTION OF  
CANCER.

**PRELIMINARY AMENDMENT**

Examiner D. Blanchard  
Group Art Unit 1642  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

Prior to examination on the merits, Applicants respectfully request entry on this Preliminary Amendment for the above-captioned patent application.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 6 of this paper.

sd-195224